

***** UNITED STATES DISTRICT COURT *****

NORTHERN

DISTRICT OF

NEW YORK

JUDGMENT IN A CIVIL CASE

DOCKET NO. 5:06cv1213 (LEK/DRH)

HOWARD P. ZINKE,

Plaintiff,

COMMISSIONER OF SOCIAL SECURITY,

Defendant(s).

 JURY VERDICT. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

XX DECISION by COURT. This action came to trial or hearing before the Court. The issues have been tried and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the final decision of the Secretary is REVERSED and the action is REMANDED for further administrative action pursuant to the 4th sentence of 42 USC Section 405(g) and the within matter be and hereby is dismissed in accord with the decision in Melkonyan v. Sullivan, all in accordance with the Consent Order signed by the parties and "So Ordered" by USMJ David R. Homer on 4/13/07.

DATE: April 16, 2007


Clerk of Court

s/William J. Griffin

By: _____

DEPUTY CLERK